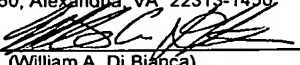


I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450.

Dated: September 2, 2008 Signature: 

(William A. Di Bianca)

Docket No.: SPINE 3.0-437 CIPCIPCIPCIPCIPCON III  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Errico et al.

Application No.: 10/784,598

Group Art Unit: 3738

Filed: October 12, 2004

Examiner: B. E.  
Pellegrino

For: INSTRUMENTATION FOR  
REPOSITIONING AND EXTRACTING AN  
ARTIFICIAL INTERVERTEBRAL DISC  
FROM AN INTERVERTEBRAL SPACE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR CONSIDERATION OF INFORMATION UNDER 37 CFR § 1.97 (C)**

Dear Sir:

It is respectfully requested that the references cited in the enclosed form be considered pursuant to 37 C.F.R. § 1.97(c). Please charge deposit account No. 12-1095 in the amount of \$180.00 pursuant to 37 C.F.R. § 1.17(p). In the event that any additional fee is due in connection with the present request, the same should be charged to our deposit account No. 12-1095.

Dated: September 2, 2008

Respectfully submitted,

By 

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